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BY HAND

March 13, 2013

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Honorable James M. Peck
United States Bankruptcy Judge
United States Bankruptcy Court
One Bowling Green
New York, NY 10004

Re: ADR Procedures Order Dated 9/17/09 (“Order”)
Fortieth Status Report

Dear Judge Peck:

The four Mediators have requested again, your Honor, that I submit this monthly report (the fortieth) to the Court pursuant to Order ¶13 that governs Tier One ADRs. In addition, this report covers ADRs commenced under the Tier Two ADR Procedures Order, as amended on May 2, 2012. Debtors will file this report on the docket in advance of the March 13, 2013 omnibus hearing.

In the 28 days following the last prior report, Debtors served one additional ADR Notice in Tier I. When added to the total Notices served in Tier Two, the total number of Notices served is now 283. During the immediately past reporting period, Debtors achieved settlements with counterparties in two ADR matters, both as a result of mediation. Upon closing of such settlements, Debtors will have received an aggregate total of \$1,404,599,056 new dollars for the Debtors’ estates. Settlements now have been achieved in 244 ADR matters involving 337 counterparties.

Honorable James M. Peck
March 13, 2013
Page 2

Weil, Gotshal & Manges LLP

To date, of the 100 ADR matters that have reached the mediation stage in Tier One and have been concluded, 95 have been settled in mediation. Only five Tier One mediations have terminated without settlement. Five additional Tier One mediations have been scheduled to commence on the following dates: March 28; April 3, 24 and 17; and May 8, 2013.

Respectfully submitted,



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and Debtors in Possession

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